

REMARKS

[0003] Applicant respectfully requests reconsideration and allowance of all of the claims of the application. Claims 1-9, 11-33 and 35-37 are presently pending. Claims amended herein are 1-9, 11-14 and 27. No claims are withdrawn or cancelled herein, and no new claims are added.

Statement of Substance of Interview

[0004] The Examiner graciously talked with me—the undersigned representative for the Applicant—on Thursday, November 13, 2008. Applicant greatly appreciates the Examiner's willingness to talk. Such willingness is invaluable to both of us in our common goal of an expedited prosecution of this patent application.

[0005] During the interview, I discussed the language of the claims as currently constituted. Without conceding the propriety of the rejections and in the interest of expediting prosecution, I also proposed several possible clarifying claim amendments which would likely assist the claims to overcome the 101 rejections.

[0006] I understood the Examiner to tentatively concur that the proposed amendments would overcome the 101 rejections.

[0007] Applicant herein amends the claims in the manner discussed during the interview. Accordingly, Applicant submits that the pending claims are allowable over the cited art of record for at least the reasons discussed during the interview.

Formal Request for an Interview

[0008] If the Examiner's reply to this communication is anything other than allowance of all pending claims, then I formally request an interview with the Examiner. I encourage the Examiner to call me—the undersigned representative for the Applicant—so that we can talk about this matter so as to resolve any outstanding issues quickly and efficiently over the phone.

[0009] Please contact me to schedule a date and time for a telephone interview that is most convenient for both of us. While email works great for me, I welcome your call as well. My contact information may be found on the last page of this response.

Allowable Subject Matter

[0010] Applicant would like to thank the Examiner for allowing claims 14-29. Claims 15-29 have not been amended herein, and therefore remain allowable. Claim 14 has been re-written with the language of claim 1 in place of the phrase in claim 14 that recites "a medium as recited in claim 1." Accordingly, claim 14 also has not been changed substantively and remains allowable.

Claim Amendments

[0011] Without conceding the propriety of the rejections herein and in the interest of expediting prosecution, Applicant amends claims 1-9, 11-14 and 27 herein. Applicant amends claims to clarify claimed features. Such amendments are made to expedite prosecution and more quickly identify allowable subject matter. Such amendments are merely intended to clarify the claimed features,

and should not be construed as further limiting the claimed invention in response to any cited references.

Substantive Matters

Claim Rejections under § 101

[0012] Claims 1-13, 27-33 and 35-37 are rejected under 35 U.S.C. § 101. Applicant respectfully traverses this rejection. Furthermore, in light of the amendments presented herein, Applicant respectfully submits that these claims comply with the patentability requirements of §101 and that the §101 rejections should be withdrawn. Applicant further asserts that these claims are allowable. Accordingly, Applicant asks the Examiner to withdraw these rejections.

[0013] If the Examiner maintains the rejection of these claims, then Applicant requests additional guidance as to what is necessary to overcome the rejection.

Dependent Claims

[0014] In addition to its own merits, each dependent claim is allowable for the same reasons that its base claim is allowable. Applicant requests that the Examiner withdraw the rejection of each dependent claim where its base claim is allowable.

Conclusion

[0015] All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the **Examiner is urged to contact me before issuing a subsequent Action.** Please call or email me at your convenience.

Respectfully Submitted,

Lee & Hayes, PLLC
Representatives for Applicant

/JOHN CHANDLER MELINE/

Dated: 2008-11-13

John C. Meline (johnm@leehayes.com)

Registration No. 58,280

Customer No. **22801**

Telephone: (509) 944-4757

Facsimile: (509) 323-8979

www.leehayes.com